

CLOSED

**U.S. District Court
Eastern District of Michigan (Detroit)
CIVIL DOCKET FOR CASE #: 2:06-cv-13346-AJT-RSW**

Ford Motor Company v. United States Customs and Border Protection
Assigned to: District Judge Arthur J. Tarnow
Referred to: Magistrate Judge R. Steven Whalen
Cause: No cause code entered

Date Filed: 07/25/2006
Date Terminated: 03/30/2012
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**Ford Motor Company**

represented by **Bruce J. Casino**
Katten Muchin Rosenman LLP
2900 K Street NW
Suite 200
Washington, DC 20007
202-625-3579
Email: bruce.casino@kattenlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paulsen K. Vandever
Ford Motor Company
One American Road
Suite 612
Dearborn, MI 48126
313-337-5082
Fax: 313-390-5890
Email: pvandev3@ford.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant**United States Customs and Border Protection**

represented by **Derri T. Thomas**
U.S. Attorney's Office
211 W. Fort Street
Suite 2001
Detroit, MI 48226
313-226-9153
Fax: 313-226-3271
Email: derri.thomas@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/25/2006	<u>1</u>	COMPLAINT with exhibits A-N filed by Ford Motor Company against United States Customs and Border Protection, Receipt No: 545513 - Fee: \$ 350. (Attachments: # <u>1</u> Document Continuation # <u>2</u> Document Continuation)(DHame,) (Entered: 07/25/2006)
09/29/2006	<u>2</u>	NOTICE of Appearance by Derri T. Thomas on behalf of United States Customs and Border Protection. (Thomas, Derri) (Entered: 09/29/2006)
09/29/2006	<u>3</u>	ANSWER to Complaint with Affirmative Defenses (<i>WITH REGARD TO COUNT 1 ONLY</i>) by United States Customs and Border Protection.(Thomas, Derri) (Entered: 09/29/2006)

09/29/2006	<u>4</u>	MOTION to Dismiss (<i>COUNTS II AND III OF THE COMPLAINT</i>) by United States Customs and Border Protection. (Thomas, Derri) (Entered: 09/29/2006)
10/20/2006	<u>5</u>	STIPULATION to extend time to respond to Motion to Dismiss by Ford Motor Company.(Vandevert, Paulsen) (Entered: 10/20/2006)
10/23/2006	<u>6</u>	NOTICE TO APPEAR: Scheduling Conference set for 12/5/2006 03:00 PM before Honorable Arthur J Tarnow. (TTay,) (Entered: 10/23/2006)
11/06/2006	<u>7</u>	RESPONSE to <u>4</u> MOTION to Dismiss (<i>COUNTS II AND III OF THE COMPLAINT</i>) filed by Ford Motor Company. (Attachments: # <u>1</u> Exhibit 1)(Casino, Bruce) (Entered: 11/06/2006)
11/20/2006	<u>8</u>	REPLY to Response re <u>4</u> MOTION to Dismiss (<i>COUNTS II AND III OF THE COMPLAINT</i>) filed by United States Customs and Border Protection. (Attachments: # <u>1</u> Exhibit A – Laroche v. U.S. Securities and Exchange Commission)(Thomas, Derri) (Entered: 11/20/2006)
12/05/2006		Minute Entry –12/5/2006, Scheduling Conference Not Held, the Court and Attorneys discussed the case and will report as to progress of disposing of case by 1/5/07. before Honorable Arthur J Tarnow. (TTay,) (Entered: 12/05/2006)
01/09/2007	<u>9</u>	ORDER REFERRING OTHER MATTERS to Magistrate Judge Majzoub: Settlement Conference. Signed by Honorable Arthur J Tarnow. (TTay,) (Entered: 01/09/2007)
01/22/2007	<u>10</u>	NOTICE TO APPEAR: Settlement Conference set for 3/29/2007 @ 10:00 AM before Honorable Mona K Majzoub. (LBar,) Modified on 2/22/2007 (Bartlett, L.). (Entered: 01/22/2007)
03/29/2007		Minute Entry –Settlement Conference held on 3/29/2007 before Honorable Mona K Majzoub. Disposition: CONTINUED (LBar) (Entered: 03/29/2007)
03/29/2007	<u>11</u>	NOTICE TO APPEAR: Settlement Conference Continued for 4/25/2007 @ 10:00 AM before Honorable Mona K Majzoub. (LBar) (Entered: 03/29/2007)
03/30/2007	<u>12</u>	NOTICE TO APPEAR: Settlement Conference set for 4/25/2007 @ 10:00 AM before Honorable Mona K Majzoub (LBar) (Entered: 03/30/2007)
04/16/2007	<u>13</u>	AMENDED NOTICE TO APPEAR: Settlement Conference set for 4/25/2007 @ 10:15 AM before Honorable Mona K Majzoub (LBar) (Entered: 04/16/2007)
04/23/2007	<u>14</u>	AMENDED NOTICE TO APPEAR: Settlement Conference set for 6/21/2007 @ 10:00 AM before Honorable Mona K Majzoub (LBar) (Entered: 04/23/2007)
06/15/2007	<u>15</u>	REQUEST o voluntarily dismiss Counts II and III of the Complaint with prejudice by Ford Motor Company. (Attachments: # <u>1</u> Order) (Casino, Bruce) (Entered: 06/15/2007)
06/20/2007		Set Hearing: SETTLEMENT CONFERENCE SET FOR THURSDAY, JUNE 22, 2007 IS CANCELLED. (LBar) (Entered: 06/20/2007)
06/20/2007	<u>16</u>	NOTICE TO APPEAR: Status Conference set for 7/16/2007 11:00 AM before Honorable Arthur J Tarnow (TTay) (Entered: 06/20/2007)
06/20/2007	<u>17</u>	ORDER granting <u>4</u> Motion to Dismiss counts II and III of the complaint. Signed by Honorable Arthur J Tarnow. (DHam) (Entered: 06/21/2007)
07/16/2007		Minute Entry –Status Conference held on 7/16/2007 before Honorable Arthur J Tarnow. (TTay) (Entered: 07/16/2007)
07/27/2007	<u>18</u>	DECLARATION by Scott Falk filed by United States Customs and Border Protection (Attachments: # <u>1</u> Index of Exhibits # <u>2</u> Exhibit A – Vaughn Index – Documents Released in Part# <u>3</u> Exhibit B – Vaughn Index – Documents Withheld in Full# <u>4</u> Exhibit C – Plaintiff's 10/6/05 FOIA Request# <u>5</u> Exhibit D – Plaintiff's Express Shipment Request Form# <u>6</u> Exhibit E – Defendant's Facsimile Transmittal Sheet# <u>7</u> Exhibit F – defendant's 6/30/06 Interoffice Memorandum# <u>8</u> Exhibit G – AUSA's 9/5/06 Letter to Plaintiff's Counsel# <u>9</u> Exhibit H – Defendant's 9/20/06 Letter to Plaintiff) (Thomas, Derri) (Entered: 07/27/2007)

07/27/2007	<u>19</u>	DECLARATION by Shari Suzuki filed by United States Customs and Border Protection (Attachments: # <u>1</u> Index of Exhibits # <u>2</u> Exhibit A – Vaughn Index – Documents Released in Part # <u>3</u> Exhibit B – Vaughn Index – Documents Withheld in Full # <u>4</u> Exhibit C – Plaintiff's 12/6/05 FOIA Appeal # <u>5</u> Exhibit D – Plaintiff's 10/6/05 FOIA Request–Fort Mitchell # <u>6</u> Exhibit E – Plaintiff's 10/6/05 FOIA Request–Washington D.C. # <u>7</u> Exhibit F – Defendant's 1/9/06 Letter to Plaintiff # <u>8</u> Exhibit G – Defendant's Response to Plaintiff's 10/6/05 FOIA Request # <u>9</u> Exhibit H – Defendant's 3/15/06 Facsimile Transmittal Sheet # <u>10</u> Exhibit I – Plaintiff's 3/31/06 Letter to Defendant # <u>11</u> Exhibit J – Defendant's 5/30/06 Facsimile Transmittal Sheet # <u>12</u> Exhibit K – Defendant's 6/30/06 Letter to Plaintiff (re: Incremental Release of Records) # <u>13</u> Exhibit L Defendant's 6/30/06 Letter to Plaintiff (re: FOIA Appeal Letter)) (Thomas, Derri) (Entered: 07/27/2007)
09/17/2007	<u>20</u>	NOTICE of Change of Electronic Filing Registration Information by Bruce J. Casino on behalf of Ford Motor Company. (Casino, Bruce) (Entered: 09/17/2007)
09/18/2007	<u>21</u>	RESPONSE to Defendant's Vaughn Index by Ford Motor Company. (Attachments: # <u>1</u> Exhibit A) (Casino, Bruce) (Entered: 09/18/2007)
09/21/2007		Set Deadlines/Hearings: Responses to Defendant Vaughn's Index due by 10/15/2007 (TTay) (Entered: 09/21/2007)
10/15/2007	<u>22</u>	REPLY to Plaintiff's Response to Defendant's Vaughn Index by United States Customs and Border Protection. (Attachments: # <u>1</u> Exhibit 1 – Supplemental Declaration of Shari Suzuki) (Thomas, Derri) (Entered: 10/15/2007)
10/17/2007	<u>23</u>	NOTICE TO APPEAR: Scheduling Conference set for 11/7/2007 02:00 PM before Honorable Arthur J Tarnow (TTay) (Entered: 10/17/2007)
11/07/2007		Minute Entry –Status Conference held on 11/7/2007 before Honorable Arthur J Tarnow. (TTay) (Entered: 11/07/2007)
11/07/2007	<u>24</u>	ORDER Referring Pretrial Matters to Magistrate Judge Steven D Pepe. Signed by Honorable Arthur J Tarnow. (TTay) (Entered: 11/07/2007)
12/04/2007	<u>25</u>	ORDER Setting Hearing on Vaughn Index – Defendant's Declaration by Scott Falk, D/E #18 and Defendant's Declaration by Shari Suzuki, D/E 19 and ORDER Setting Scheduling Conference Resolved/Unresolved Issues due by 1/3/2008; Hearing set for 1/10/08 between 9:30 AM – 1:00 PM before Magistrate Judge Steven D. Pepe Signed by Magistrate Judge Steven D Pepe. (PPel) (Entered: 12/04/2007)
01/03/2008	<u>26</u>	STATEMENT of Resolved and Unresolved Issues by United States Customs and Border Protection (Attachments: # <u>1</u> Exhibit A – 1–2–08 Letter from Plaintiff's Counsel to Court) (Thomas, Derri) (Entered: 01/03/2008)
01/09/2008	<u>27</u>	STATEMENT of Additional Case Law Authority by Ford Motor Company (Casino, Bruce) (Entered: 01/09/2008)
01/10/2008		Minute Entry –Status Conference held on 1/10/2008 before Honorable Steven D Pepe. Disposition: Issue taken under advisement (Tape #A08–002) (AGre) (Entered: 01/10/2008)
01/31/2008	<u>28</u>	MOTION for Summary Judgment by United States Customs and Border Protection. (Attachments: # <u>1</u> Index of Exhibits # <u>2</u> Exhibit 1 – Declaration of Joseph Reese (with exhibits) # <u>3</u> Exhibit Ex. 2 – Superseding Declaration of Shari Suzuki (with exhibits) # <u>4</u> Exhibit 3 – Declaration of Glenys B. Ford (with attachment) # <u>5</u> Exhibit 4 – Superseding Declaration of Scott Falk (with exhibits)) (Thomas, Derri) (Entered: 01/31/2008)
02/04/2008	<u>29</u>	STATEMENT of Resolved and Unresolved Issues by Ford Motor Company (Casino, Bruce) (Entered: 02/04/2008)
02/19/2008	<u>30</u>	RESPONSE to <u>29</u> Statement of Resolved and Unresolved Issues by United States Customs and Border Protection. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A – Letter to Mag. Judge Pepe dated 2/4/08, # <u>3</u> Exhibit B – Transcript of Hearing on 1/10/08) (Thomas, Derri) (Entered: 02/19/2008)

02/25/2008	<u>31</u>	MOTION for Extension of Time to File Response/Reply to <i>Summary Judgment Motion</i> by Ford Motor Company. (Casino, Bruce) (Entered: 02/25/2008)
02/27/2008	<u>32</u>	ORDER granting <u>31</u> Motion for Extension of Time to File Response/Reply re <u>28</u> MOTION for Summary Judgment Responses due by 3/17/2008 Replies due by 4/4/2008 . Signed by Honorable Steven D Pepe. (AGre) (Entered: 02/27/2008)
03/17/2008	<u>33</u>	DECLARATION by Paulsen K. Vandever <i>filed as Exhibit A to PLAINTIFF FORD MOTOR COMPANYS BRIEF IN OPPOSITION TO DEFENDANTS SUMMARY JUDGMENT MOTION</i> filed by Ford Motor Company (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G) (Casino, Bruce) (Entered: 03/17/2008)
03/18/2008	<u>34</u>	AFFIDAVIT of Bruce J. Casino <i>filed as Exhibit B to PLAINTIFF FORD MOTOR COMPANYS BRIEF IN OPPOSITION TO DEFENDANTS SUMMARY JUDGMENT MOTION</i> by Ford Motor Company (Casino, Bruce) (Entered: 03/18/2008)
03/18/2008	<u>35</u>	RESPONSE to <u>28</u> MOTION for Summary Judgment filed by Ford Motor Company. (Attachments: # <u>1</u> Exhibit C – Part 1, # <u>2</u> Exhibit C – Part 2) (Casino, Bruce) (Entered: 03/18/2008)
04/04/2008	<u>36</u>	Ex Parte MOTION for Leave to File Excess Pages (<i>Reply Brief</i>) by United States Customs and Border Protection. (Attachments: # <u>1</u> Exhibit A – Proposed Reply Brief) (Thomas, Derri) (Entered: 04/04/2008)
04/07/2008	<u>37</u>	ORDER granting <u>36</u> Motion for Leave to File Excess Pages. Signed by Magistrate Judge Steven D Pepe. (AGre) (Entered: 04/07/2008)
04/08/2008	<u>38</u>	REPLY to Response re <u>28</u> MOTION for Summary Judgment filed by United States Customs and Border Protection. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 5 – Supplemental Declaration of Joseph Rees, # <u>3</u> Exhibit 6 – Supplement to Superseding Declaration of Shari Suzuki, # <u>4</u> Exhibit 7 – Supplement to Superseding Declaration of Scott Falk, # <u>5</u> Exhibit 8 – Amended Vaughn Indexes – With Dates, # <u>6</u> Exhibit 9 – ORR 50–55) (Thomas, Derri) (Entered: 04/08/2008)
04/28/2008	<u>39</u>	EXHIBIT 10 – <i>Declaration of Dathrenal Davis</i> re <u>38</u> Reply to Response to Motion, by United States Customs and Border Protection (Thomas, Derri) (Entered: 04/28/2008)
07/30/2008	<u>40</u>	EXHIBIT 11 – <i>Fourth Declaration of Shari Suzuki</i> re <u>38</u> Reply to Response to Motion, by United States Customs and Border Protection (Thomas, Derri) (Entered: 07/30/2008)
08/01/2008	<u>41</u>	REPORT AND RECOMMENDATION re <u>28</u> MOTION for Summary Judgment filed by United States Customs and Border Protection Signed by Magistrate Judge Steven D Pepe. (AGre) (Entered: 08/01/2008)
08/15/2008	<u>42</u>	ORDER to Extend Time to File Objections to Report and Recommendation re <u>41</u> REPORT AND RECOMMENDATION re <u>28</u> MOTION for Summary Judgment filed by United States Customs and Border Protection. (Responses due by 8/28/2008), STIPULATION AND ORDER re <u>41</u> REPORT AND RECOMMENDATION re <u>28</u> MOTION for Summary Judgment filed by United States Customs and Border Protection Signed by District Judge Arthur J Tarnow. (TTay) (Entered: 08/15/2008)
08/28/2008	<u>43</u>	OBJECTION to <u>41</u> Report and Recommendation by United States Customs and Border Protection. (Thomas, Derri) (Entered: 08/28/2008)
08/29/2008	<u>44</u>	RESPONSE to <u>41</u> REPORT AND RECOMMENDATION re <u>28</u> MOTION for Summary Judgment filed by United States Customs and Border Protection filed by Ford Motor Company. (Attachments: # <u>1</u> Exhibit Letter, # <u>2</u> Exhibit DHS Organizational Chart, # <u>3</u> Exhibit Customs FOIA Reference Guide, # <u>4</u> Exhibit Declaration of Battaglioli, # <u>5</u> Exhibit Declaration of Vandever, # <u>6</u> Exhibit Affidavit of Casino, # <u>7</u> Exhibit Article) (Casino, Bruce) Modified on 8/29/2008 (PMil).[WRONG DOCKET EVENT SELECTED][ATTACHMENT 1 INCLUDES THE INDEX OF EXHIBITS] (Entered: 08/29/2008)

08/29/2008	<u>45</u>	SUPPLEMENTAL BRIEF re <u>44</u> Response to Motion,, <i>Amended Exhibit 5</i> filed by Ford Motor Company. (Casino, Bruce) Modified on 8/29/2008 (PMil).[DOCUMENT IS AN AMENDED EXHIBIT – WRONG DOCKET EVENT SELECTED] (Entered: 08/29/2008)
09/18/2008	<u>46</u>	ORDER to Extend Time to Respond re <u>43</u> Objection to Report and Recommendation file Responses due by 9/22/2008), STIPULATION AND ORDER Signed by District Judge Arthur J Tarnow. (TTay) (Entered: 09/18/2008)
09/22/2008	<u>47</u>	RESPONSE to <u>44</u> Response to Motion,, <i>TO PLAINTIFF'S OBJECTIONS TO REPORT AND RECOMMENDATION</i> by United States Customs and Border Protection. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 12 – Declaration of Shari Suzuki, # <u>3</u> Exhibit 13 – Declaration of Scott Falk, # <u>4</u> Exhibit 14 – Declaration of Joseph Rees, # <u>5</u> Exhibit 15 – Declaration of Linda Champion, # <u>6</u> Exhibit 16 – 11–10–03 letter to U.S. Customs Commissioner Robert Bonner) (Thomas, Derri) Modified on 9/22/2008 (PMil).[WRONG DOCKET EVENT SELECTED] (Entered: 09/22/2008)
09/22/2008	<u>48</u>	REPLY to Response re <u>41</u> REPORT AND RECOMMENDATION re <u>28</u> MOTION for Summary Judgment filed by United States Customs and Border Protection filed by Ford Motor Company. (Casino, Bruce) Modified on 9/23/2008 (PMil).[WRONG DOCKET EVENT USED] (Entered: 09/22/2008)
09/29/2008	<u>49</u>	MOTION for Leave to File Excess Pages <i>on Its Reply to Defendant's Response to Plaintiff's Objections to Report and Recommendation Regarding Defendant's Motion for Summary Judgment</i> by Ford Motor Company. (Casino, Bruce) (Entered: 09/29/2008)
09/30/2008	<u>50</u>	REPLY to Response re <u>41</u> REPORT AND RECOMMENDATION re <u>28</u> MOTION for Summary Judgment filed by United States Customs and Border Protection filed by Ford Motor Company. (Casino, Bruce) Modified on 9/30/2008 (PMil).[DOCUMENT IS MISSING PAGES] (Entered: 09/30/2008)
09/30/2008	<u>51</u>	REPLY to Response re <u>41</u> REPORT AND RECOMMENDATION re <u>28</u> MOTION for Summary Judgment filed by United States Customs and Border Protection filed by Ford Motor Company. (Casino, Bruce) (Entered: 09/30/2008)
09/30/2008	<u>52</u>	ORDER re <u>49</u> MOTION for Leave to File Excess Pages <i>on Its Reply to Defendant's Response to Plaintiff's Objections to Report and Recommendation Regarding Defendant's Motion for Summary Judgment</i> filed by Ford Motor Company. Signed by District Judge Arthur J Tarnow. (TTay) (Entered: 09/30/2008)
11/12/2008	<u>53</u>	ORDER adopting in part <u>41</u> Report and Recommendation ; granting in part and denying in part <u>28</u> Motion for Summary Judgment. Signed by District Judge Arthur J Tarnow. (TTay) (Entered: 11/12/2008)
12/10/2008	<u>54</u>	MOTION TO CLARIFY OR MODIFY TIME FRAME WITHIN WHICH DEFENDANT MUST COMPLY WITH THE ORDER ADOPTING IN PART AND REJECTING IN PART REPORT AND RECOMMENDATION by United States Customs and Border Protection. (Thomas, Derri) (Entered: 12/10/2008)
12/12/2008	<u>55</u>	RESPONSE to <u>54</u> MOTION TO CLARIFY OR MODIFY TIME FRAME WITHIN WHICH DEFENDANT MUST COMPLY WITH THE ORDER ADOPTING IN PART AND REJECTING IN PART REPORT AND RECOMMENDATION filed by Ford Motor Company. (Casino, Bruce) (Entered: 12/12/2008)
12/15/2008	<u>56</u>	REPLY to Response re <u>54</u> MOTION TO CLARIFY OR MODIFY TIME FRAME WITHIN WHICH DEFENDANT MUST COMPLY WITH THE ORDER ADOPTING IN PART AND REJECTING IN PART REPORT AND RECOMMENDATION filed by United States Customs and Border Protection. (Attachments: # <u>1</u> Exhibit A) (Thomas, Derri) (Entered: 12/15/2008)
01/02/2009	<u>57</u>	MOTION for Leave to File <i>Supplement to Motion to Clarify or Modify Time Frame Within Which Defendant Must Comply with the Order Adopting in Part and Rejecting in Part Report and Recommendation</i> by United States Customs and Border Protection. (Attachments: # <u>1</u> Exhibit A – Supplement to Motion) (Thomas,

		Derri) (Entered: 01/02/2009)
01/06/2009	<u>58</u>	RESPONSE to <u>57</u> MOTION for Leave to File <i>Supplement to Motion to Clarify or Modify Time Frame Within Which Defendant Must Comply with the Order Adopting in Part and Rejecting in Part Report and Recommendation</i> filed by Ford Motor Company. (Casino, Bruce) (Entered: 01/06/2009)
01/22/2009	<u>59</u>	STIPULATED ORDER signed by District Judge Arthur J Tarnow Regarding Time Frame for Defendant to Comply with November 12, 2008 Order to (1/30/2009) Signed by District Judge Arthur J Tarnow. (Ware, L.) (Entered: 01/22/2009)
01/30/2009	<u>60</u>	RESPONSE to <u>53</u> Order on Report and Recommendation, Order on Motion for Summary Judgment by United States Customs and Border Protection. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 17 – Revised OCC Vaughn Index A, # <u>3</u> Exhibit 18 – Revised OCC Vaughn Index B, # <u>4</u> Exhibit 19 – Revised ORR Vaughn Index A, # <u>5</u> Exhibit 20 – Revised ORR Vaughn Index B, # <u>6</u> Exhibit 21 – Key to CBP Attorney and Employee Initials in Vaughn Indexes, # <u>7</u> Exhibit 22 – Declaration of Joseph Rees Regarding Search for Electronic Documents and Importer Self–Assessment Program Decision–Making Process, # <u>8</u> Exhibit 23 – Declaration of Jennifer Avery Concerning Electronic Search, # <u>9</u> Exhibit 24 – Declaration of Lisa Carr Concerning Electronic Search, # <u>10</u> Exhibit 25 – Declaration of Linda Champion, # <u>11</u> Exhibit 26 – Declaration of Dathrenal Davis, # <u>12</u> Exhibit 27 – Declaration of Scott Falk Regarding Search for Documents Stored Electronically, # <u>13</u> Exhibit 28 – Declaration of Judith Funkhouser Concerning Electronic Search, # <u>14</u> Exhibit 29 – Declaration of Heddie Jones Concerning Electronic Search, # <u>15</u> Exhibit 30 – Declaration of Leon Sample Concerning Electronic Search, # <u>16</u> Exhibit 31 – Declaration of Richard Spare Concerning Electronic Search, # <u>17</u> Exhibit 32 – Declaration of Shari Suzuki Regarding Electronic Search, # <u>18</u> Exhibit 33 – Declaration of Sonia Yadav Concerning Electronic Search) (Thomas, Derri) (Entered: 01/30/2009)
03/10/2009	<u>61</u>	MOTION Set Schedule by Ford Motor Company. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B) (Casino, Bruce) Modified on 3/11/2009 (DWor). [REQUESTED INDEX OF EXHIBITS] (Entered: 03/10/2009)
03/11/2009	<u>62</u>	ORDER REFERRING MOTION to Magistrate Judge Steven D Pepe: <u>61</u> MOTION Set Schedule filed by Ford Motor Company. Signed by District Judge Arthur J Tarnow. (TTay) (Entered: 03/11/2009)
03/12/2009	<u>63</u>	NOTICE of Telephonic hearing on <u>61</u> MOTION Set Schedule. Motion Hearing set for 3/27/2009 10:00 AM before Magistrate Judge Steven D Pepe. (VSim) (Entered: 03/12/2009)
03/13/2009	<u>64</u>	INDEX of Exhibits re <u>61</u> MOTION Set Schedule by Ford Motor Company (Casino, Bruce) (Entered: 03/13/2009)
03/20/2009	<u>65</u>	RESPONSE to <u>60</u> (SUPPLEMENT) by United States Customs and Border Protection. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 34 – Supplemental Declaration of Sonia Yadav Concerning Electronic Search, # <u>3</u> Exhibit 35 – Declaration of Shari Suzuki Re: Electronic Search Performed by the Office of Information Technology, # <u>4</u> Exhibit 36 – Records Produced by OIT Search, # <u>5</u> Exhibit 37 – March 20, 2009 ORR Vaughn Index) (Thomas, Derri) Modified on 3/20/2009 (PMil).[DOCUMENT IS A SUPPLEMENT TO DOCKET ENTRY 60] (Entered: 03/20/2009)
03/25/2009	<u>66</u>	STATEMENT of Resolved and Unresolved Issues by Ford Motor Company (Casino, Bruce) (Entered: 03/25/2009)
03/25/2009	<u>67</u>	RESPONSE to <u>61</u> MOTION Set Schedule filed by United States Customs and Border Protection. (Thomas, Derri) (Entered: 03/25/2009)
03/27/2009		Minute Entry –Scheduling Conference held on 3/27/2009 before Magistrate Judge Steven D Pepe. (JCre) (Entered: 03/31/2009)
04/01/2009	<u>68</u>	ORDER granting <u>61</u> Motion to Set Schedule. Signed by Magistrate Judge Steven D Pepe. (DEld) (Entered: 04/01/2009)

07/01/2009	<u>69</u>	Ex Parte MOTION for Leave to File Excess Pages by Ford Motor Company. (Casino, Bruce) (Entered: 07/01/2009)
07/01/2009	<u>70</u>	RESPONSE to <u>69</u> Ex Parte MOTION for Leave to File Excess Pages filed by Ford Motor Company. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C, # <u>5</u> Exhibit D, # <u>6</u> Exhibit E, # <u>7</u> Exhibit F, # <u>8</u> Exhibit G, # <u>9</u> Exhibit H, # <u>10</u> Exhibit I, # <u>11</u> Index of Exhibits J, # <u>12</u> Exhibit K, # <u>13</u> Exhibit L, # <u>14</u> Exhibit M, # <u>15</u> Exhibit N, # <u>16</u> Exhibit O, # <u>17</u> Exhibit P, # <u>18</u> Exhibit Q, # <u>19</u> Exhibit R, # <u>20</u> Exhibit S, # <u>21</u> Exhibit T, # <u>22</u> Exhibit U, # <u>23</u> Exhibit V, # <u>24</u> Exhibit W, # <u>25</u> Exhibit X) (Casino, Bruce) [IMAGE DOES NOT MATCH DOCKET TEXT] Modified on 7/1/2009 (DEld). (Entered: 07/01/2009)
07/01/2009		TEXT ONLY NOTICE REASSIGNING CASE from Magistrate Judge Steven D Pepe to Magistrate Judge Paul J Komives pursuant to Administrative Order 09-AO-008. (ATee) (Entered: 07/01/2009)
07/02/2009	<u>71</u>	ORDER REFERRING MOTION to Magistrate Judge Paul J Komives: <u>69</u> Ex Parte MOTION for Leave to File Excess Pages filed by Ford Motor Company. Signed by District Judge Arthur J Tarnow. (FMos) (Entered: 07/02/2009)
08/12/2009	<u>72</u>	ORDER REASSIGNING CASE from Magistrate Judge Paul J Komives to Magistrate Judge Donald A Scheer. (SSch) (Entered: 08/12/2009)
08/17/2009	<u>73</u>	ORDER REFERRING MOTION to Magistrate Judge Donald A Scheer: <u>69</u> Ex Parte MOTION for Leave to File Excess Pages filed by Ford Motor Company. Signed by District Judge Arthur J Tarnow. (TTay) (Entered: 08/17/2009)
08/19/2009	<u>74</u>	ORDER Referring Pretrial Matters to Magistrate Judge Donald A Scheer Signed by District Judge Arthur J Tarnow. (LHac) (Entered: 08/19/2009)
08/27/2009	<u>75</u>	NOTICE TO APPEAR: Status Conference set for 9/28/2009 02:00 PM before Magistrate Judge Donald A Scheer. (MLan) (Entered: 08/27/2009)
09/28/2009		Minute Entry – Status Conference held on 9/28/2009 before Magistrate Judge Donald A Scheer. (MLan) (Entered: 09/28/2009)
09/29/2009	<u>76</u>	ORDER granting <u>69</u> Ex Parte MOTION for Leave to File Excess Pages filed by Ford Motor Company and setting dates for Supplemental responses and replies to <u>70</u> Plaintiff's Response to Governments Response to Novmeber 12, 2008 Court Order – Response due 12/1/2009, Reply due 1/29/2010. Signed by Magistrate Judge Donald A Scheer. (MLan) (Entered: 09/29/2009)
11/25/2009	<u>77</u>	STIPULATION AND ORDER adjourning dates re <u>70</u> : Plaintiff's Response to Government's Response. Supplemental Response due: 12/15/2009, Supplemental Reply due 2/12/2010. Signed by Magistrate Judge Donald A Scheer. (MLan) (Entered: 11/25/2009)
12/08/2009	<u>78</u>	TRANSCRIPT of Motion Hearing held on 03/27/2009. (Court Reporter/Transcriber: Marie Metcalf) (Number of Pages: 13) Redaction Request due 12/29/2009. Redacted Transcript Deadline set for 1/8/2010. Release of Transcript Restriction set for 3/8/2010. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date, the transcript is publicly available. (Metcalf, M) (Entered: 12/08/2009)
12/08/2009	<u>79</u>	Notice of Filing Transcript. (Metcalf, M) (Entered: 12/08/2009)
12/15/2009	<u>80</u>	Ex Parte MOTION for Leave to File Excess Pages (<i>TWENTY PAGES</i>) by United States Customs and Border Protection. (Attachments: # <u>1</u> Exhibit A – Proposed Defendant's Renewed Motion For Summary Judgment and Exhibits) (Thomas, Derri) (Entered: 12/15/2009)
12/16/2009	<u>81</u>	ORDER granting <u>80</u> Motion for Leave to File Excess Pages. Signed by Magistrate Judge Donald A Scheer. (MLan) (Entered: 12/16/2009)
12/16/2009	<u>82</u>	MOTION for Summary Judgment <i>RENEWED</i> by United States Customs and Border Protection. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 38 – Email String, # <u>3</u> Exhibit 39 – Proposed Stipulated Order, # <u>4</u> Exhibit 40 – Declaration of Joseph Rees, # <u>5</u> Exhibit 41 – Declaration of Sonia Yadav, # <u>6</u> Exhibit 42 – Title

		Page Handbook, # <u>7</u> Exhibit 43 – Correspondence with Court) (Thomas, Derri) (Entered: 12/16/2009)
12/31/2009	<u>83</u>	RESPONSE to <u>82</u> MOTION for Summary Judgment <i>RENEWED (SUPPLEMENT) TO DEFENDANT'S RENEWED MOTION FOR SUMMARY JUDGMENT</i> by United States Customs and Border Protection. (Attachments: # <u>1</u> Exhibit Ex 44–Table cross referencing plaintiff's arguments & def's responses) (Thomas, Derri) (Entered: 12/31/2009)
12/31/2009	<u>84</u>	MOTION to Strike <u>82</u> MOTION for Summary Judgment <i>RENEWED</i> by Ford Motor Company. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Index of Exhibits) (Casino, Bruce) (Entered: 12/31/2009)
01/05/2010	<u>85</u>	RESPONSE to <u>84</u> MOTION to Strike <u>82</u> MOTION for Summary Judgment <i>RENEWED</i> filed by United States Customs and Border Protection. (Thomas, Derri) (Entered: 01/05/2010)
01/07/2010	<u>86</u>	NOTICE of hearing on <u>84</u> MOTION to Strike <u>82</u> <i>RENEWED MOTION</i> for Summary Judgment. Resolved/Unresolved Issues due by 1/29/2010. Motion Hearing set for 2/2/2010 02:00 PM before Magistrate Judge Donald A Scheer. (MLan) (Entered: 01/07/2010)
02/02/2010		Minute Entry – Motion Hearing held on 2/2/2010 re <u>84</u> MOTION to Strike <u>82</u> MOTION for Summary Judgment <i>RENEWED</i> filed by Ford Motor Company before Magistrate Judge Donald A Scheer. Disposition: Granted in Part. (Tape #DAS 2/2/10) (MLan) (Entered: 02/02/2010)
02/10/2010	<u>87</u>	ORDER granting in part and denying in part <u>84</u> Motion to Strike – Defendant's Response Brief due 2/17/10; Plaintiff's Reply Brief due 4/19/10. Signed by Magistrate Judge Donald A Scheer. (MLan) (Entered: 02/10/2010)
02/17/2010	<u>88</u>	RESPONSE to <u>70</u> Response to Motion,, by United States Customs and Border Protection. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 38 – Email String, # <u>3</u> Exhibit 39 – Proposed Stipulated Order, # <u>4</u> Exhibit 40 – Declaration of Joseph Rees, # <u>5</u> Exhibit 41 – Declaration of Sonia Yadav, # <u>6</u> Exhibit 41 – Title Page Handbook, # <u>7</u> Exhibit 43 – Correspondence with Court) (Thomas, Derri) (Entered: 02/17/2010)
04/19/2010	<u>89</u>	REPLY to Response re <u>69</u> Ex Parte MOTION for Leave to File Excess Pages <i>Reply to Defendant's Response</i> filed by Ford Motor Company. (Attachments: # <u>1</u> Exhibit 1) (Casino, Bruce) Modified on 4/20/2010 (TMcg)[REPLY TO RESPONSE <u>88</u> PER CASINO, BRUCE]. (Entered: 04/19/2010)
07/15/2010	<u>90</u>	ORDER re <u>74</u> Order Referring Pretrial Matters to Magistrate Judge., (Status Conference set for 7/26/2010 at 11:00 AM before District Judge Arthur J Tarnow) Signed by District Judge Arthur J Tarnow. (Ware, L.) (Entered: 07/15/2010)
07/22/2010		Set/Reset Scheduling Order Deadlines: Status Conference set for 8/17/2010 at 02:00 PM before District Judge Arthur J Tarnow (Ware, L.) (Entered: 07/22/2010)
07/30/2010	<u>91</u>	ORDER Administratively Terminating <u>82</u> Motion for Summary Judgment. Signed by District Judge Arthur J Tarnow. (DSmi) (Entered: 08/02/2010)
08/17/2010		**TEXT ONLY** ORDER REASSIGNING CASE pursuant to 10–AO–013 from Magistrate Judge Donald A Scheer to Magistrate Judge R. Steven Whalen. (SSch) (Entered: 08/17/2010)
08/17/2010		Minute Entry – Status Conference held on 8/17/2010 before District Judge Arthur J Tarnow. (Ware, L.) (Entered: 08/18/2010)
08/18/2010	<u>92</u>	ORDER Referring Pretrial Matters to Magistrate Judge R. Steven Whalen. Signed by District Judge Arthur J Tarnow. (Ware, L.) (Entered: 08/18/2010)
09/02/2010	<u>93</u>	NOTICE TO APPEAR: Status Conference set for 9/28/2010 11:00 AM before Magistrate Judge R. Steven Whalen (SJef) (Entered: 09/02/2010)

09/14/2010	<u>94</u>	AMENDED NOTICE TO APPEAR: Status Conference set for 10/12/2010 11:30 AM before Magistrate Judge R. Steven Whalen (GWil) (Entered: 09/14/2010)
10/12/2010		Minute Entry – Status Conference held on 10/12/2010 before Magistrate Judge R. Steven Whalen. (MLan) (Entered: 10/12/2010)
10/13/2010	<u>95</u>	ORDER SETTING BRIEFING SCHEDULE: (Plaintiff's Supplement Brief due by 10/26/2010, Defendant's Response due by 11/9/2010). Signed by Magistrate Judge R. Steven Whalen. (MLan) (Entered: 10/13/2010)
10/26/2010	<u>96</u>	SUPPLEMENTAL BRIEF re <u>89</u> Reply to Response to Motion, filed by Ford Motor Company. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4) (Casino, Bruce) (Entered: 10/26/2010)
11/08/2010	<u>97</u>	RESPONSE to <u>96</u> Supplemental Brief <i>DATED OCTOBER 26, 2010</i> by United States Customs and Border Protection. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 44 – Declaration of Shari Suzuki dated 11–8–10, # <u>3</u> Exhibit 45 – Foreward to Importer Risk Designation handbook, # <u>4</u> Exhibit 46 – Letter dated 5–17–10) (Thomas, Derri) (Entered: 11/08/2010)
03/01/2011	<u>98</u>	NOTICE TO APPEAR: Hearing re: Supplemental filings <u>96</u>, <u>97</u> set for 3/8/2011 10:00 AM before Magistrate Judge R. Steven Whalen (MLan). (Entered: 03/01/2011)
03/04/2011		TEXT-ONLY ORDER CANCELLING <u>98</u> HEARING ON PENDING MATTERS. MAGISTRATE JUDGE R. STEVEN WHALEN WILL ISSUE REPORT AND RECOMMENDATION BASED ON WRITTEN SUBMISSIONS. Signed by Magistrate Judge R. Steven Whalen. (MLan) (Entered: 03/04/2011)
09/12/2011	<u>99</u>	OPINION and ORDER Regarding Compliance with November 12, 2008 Order. Signed by Magistrate Judge R. Steven Whalen. (MLan) (Entered: 09/12/2011)
09/16/2011	<u>100</u>	NOTICE TO APPEAR: Status Conference set for 9/19/2011 at 2:00 PM before District Judge Arthur J. Tarnow (SJa) (Entered: 09/16/2011)
09/19/2011		Minute Entry – Status Conference held on 9/19/2011 before District Judge Arthur J. Tarnow. Disposition: Per orders of Mag. Judge Whalen, Vaughn Index w/dates and initials due 9/26. (SJa) (Entered: 10/12/2011)
09/23/2011	<u>101</u>	MOTION for Extension of Time to File Answer <i>to Opinion and Order of Magistrate Judge Whalen dated 9/12</i> by Ford Motor Company. (Attachments: # <u>1</u> Order) (Casino, Bruce) (Entered: 09/23/2011)
09/26/2011	<u>102</u>	RESPONSE to <u>101</u> MOTION for Extension of Time to File Answer <i>to Opinion and Order of Magistrate Judge Whalen dated 9/12</i> filed by United States Customs and Border Protection. (Thomas, Derri) (Entered: 09/26/2011)
09/26/2011	<u>103</u>	RESPONSE to <u>99</u> Memorandum Opinion & Order by United States Customs and Border Protection. (Attachments: # <u>1</u> Index of Exhibits, # <u>2</u> Exhibit 47 – Revised OCC Vaughn A, # <u>3</u> Exhibit 48 – Revised OCC Vaughn B, # <u>4</u> Exhibit 49 – Revised ORR Vaughn A, # <u>5</u> Exhibit 50 – Revised ORR Vaughn B, # <u>6</u> Exhibit 51 – Revised Key to Initials) (Thomas, Derri) (Entered: 09/26/2011)
10/12/2011	<u>104</u>	ORDER Setting date for Objections to <u>99</u> Order (Plaintiff's Objections due by 10/13/2011, Defendant's Reply due 10/27/2011). Signed by District Judge Arthur J. Tarnow. (MLan) (Entered: 10/12/2011)
10/14/2011	<u>105</u>	Second MOTION for Extension of Time to File Response/Reply as to <u>99</u> Memorandum Opinion & Order <i>MOTION for Extension of Time to File Objection to Opinion and Order by Ford Motor Company (Casino, Bruce)</i> by Ford Motor Company. (Casino, Bruce) (Entered: 10/14/2011)
10/14/2011	<u>106</u>	ORDER granting <u>105</u> SECOND STIPULATED MOTION for Extension of Time to File Response/Reply as to <u>99</u> Memorandum Opinion & Order: Responses due by 10/14/2011; Replies due by 10/28/2011 . Signed by Magistrate Judge R. Steven Whalen. (JCur) (Entered: 10/14/2011)
10/14/2011	<u>107</u>	MOTION OBJECTION TO OPINION & ORDER re <u>99</u> Memorandum Opinion & Order <i>OBJECTION TO OPINION AND ORDER</i> by Ford Motor Company.

		(Casino, Bruce) Modified on 10/17/2011 (DWor). [WRONG DOCKET EVENT SELECTED] (Entered: 10/14/2011)
10/28/2011	<u>108</u>	RESPONSE to <u>107</u> MOTION OBJECTION TO OPINION & ORDER re <u>99</u> Memorandum Opinion & Order <i>OBJECTION TO OPINION AND ORDER</i> by United States Customs and Border Protection. (Thomas, Derri) (Entered: 10/28/2011)
11/04/2011	<u>109</u>	REPLY to Response re <u>107</u> MOTION OBJECTION TO OPINION & ORDER re <u>99</u> Memorandum Opinion & Order <i>OBJECTION TO OPINION AND ORDER</i> filed by Ford Motor Company. (Casino, Bruce) (Entered: 11/04/2011)
11/04/2011	<u>110</u>	MOTION for Leave to File Excess Pages by Ford Motor Company. (Casino, Bruce) (Entered: 11/04/2011)
11/07/2011		TEXT-ONLY ORDER granting <u>110</u> MOTION for Leave to File Excess Pages filed by Ford Motor Company. Signed by District Judge Arthur J. Tarnow. (MLan) (Entered: 11/07/2011)
11/08/2011	<u>111</u>	Ex Parte MOTION for Leave to File A <i>SURREPLY</i> by United States Customs and Border Protection. (Attachments: # <u>1</u> Exhibit A – Defendant's Surreply) (Thomas, Derri) (Entered: 11/08/2011)
11/09/2011	<u>112</u>	ORDER granting <u>111</u> Motion for Leave to File Surreply. Signed by District Judge Arthur J. Tarnow. (MLan) (Entered: 11/09/2011)
11/10/2011	<u>113</u>	SUR-REPLY re <u>107</u> MOTION OBJECTION TO OPINION & ORDER re <u>99</u> Memorandum Opinion & Order <i>OBJECTION TO OPINION AND ORDER</i> filed by United States Customs and Border Protection. (Thomas, Derri) (Entered: 11/10/2011)
11/14/2011	<u>114</u>	MOTION for Leave to File <i>Sur-Surreply; Brief in Support thereof and Certificate of Service</i> by Ford Motor Company. (Attachments: # <u>1</u> Exhibit PLAINTIFF'S SUR-SURREPLY) (Casino, Bruce) (Entered: 11/15/2011)
11/15/2011		TEXT-ONLY ORDER granting <u>114</u> MOTION for Leave to File <i>Sur-Surreply</i> filed by Ford Motor Company. Signed by District Judge Arthur J. Tarnow. (MLan) (Entered: 11/15/2011)
01/19/2012	<u>115</u>	ORDER Adopting <u>99</u> Memorandum Opinion & Order and Denying <u>107</u> Plaintiff's OBJECTION Signed by District Judge Arthur J. Tarnow. (MLan) (Entered: 01/19/2012)
01/19/2012	<u>116</u>	NOTICE TO APPEAR: Status Conference set for 2/8/2012 03:00 PM before District Judge Arthur J. Tarnow. (MLan) (Entered: 01/19/2012)
02/07/2012		TEXT ONLY NOTICE: Status Conference ADJOURNED TO 2/9/2012 02:00 PM before District Judge Arthur J. Tarnow. (MLan) (Entered: 02/07/2012)
02/09/2012		Minute Entry – Status Conference held on 2/9/2012 before District Judge Arthur J. Tarnow. Disposition: Parties to meet and confer and contact the court by 3/15/2012 with status of settlement negotiations. (MLan) (Entered: 02/09/2012)
03/30/2012	<u>117</u>	STIPULATED ORDER DISMISSING CASE without Prejudice. Signed by District Judge Arthur J. Tarnow. (MLan) (Entered: 03/30/2012)